IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION

KAL CLAYTON KENFIELD,	CV 16–119–GF–DLC–JTJ
Petitioner,	
vs.	ORDER
DOUGLAS FENDER; ATTORNEY GENDERAL OF THE STATE OF MONTANA,	
Respondents.	

On October 10, 2017, United States Magistrate Judge John T. Johnston

entered his Findings and Recommendations, recommending that Plaintiff Kal C.

Kenfield's ("Kenfield") Petition be denied on the merits. (Doc. 10 at 18.)

Kenfield timely filed an objection to the findings and recommendations, and so is

entitled to de novo review of those findings and recommendations to which he

specifically objects. 28 U.S.C. § 636(b)(1)(C). This Court reviews for clear error

those findings and recommendations to which no party objects. *See McDonnell*

Douglas Corp. v. Commodore Bus. Mach., Inc., 656 F.2d 1309, 1313 (9th Cir.

1981); *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Clear error exists if the Court is

left with a "definite and firm conviction that a mistake has been committed."

United States v. Syrax, 235 F.3d 422, 427 (9th Cir. 2000) (citations omitted).
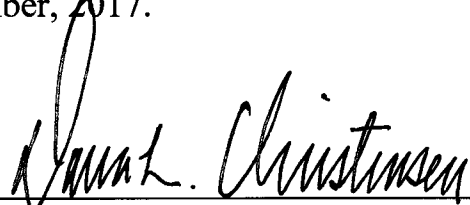
Judge Johnston concluded, and this Court agrees, that all claims brought in Kenfield's Petition be dismissed. Having reviewed Kenfield's objection, the Court finds that he fails to present any new evidence and reiterates the same facts and arguments already made and properly rejected by Judge Johnston. Instead, Kenfield's objections are merely rehashed arguments of the same allegations made in his initial Petition. (Doc. 1.)

Accordingly, the Court reviews Judge Johnston's Findings and Recommendations for clear error. Finding none,

IT IS ORDERED that Judge Johnston's Findings and Recommendations (Doc. 10) are ADOPTED IN FULL.

1. The Petition (Docs. 1, 4, 8) are DENIED on the merits.

2. The Clerk of Court shall enter by separate document a judgment in favor of Respondents and against Petitioner.

3. A certificate of appealability is DENIED.

DATED this 4th day of December, 2017.

Dana L. Christensen, Chief Judge
United States District Court